

Remarks

The Examiner has objected to the disclosure due to an informality concerning the labeling of the terms "upper layer" (page 12, line 6). In responding thereto, the subject paragraph has been amended appropriately.

The Examiner has requested the Applicant to clarify use of the words "bristle carrier" as set forth in claim 17, 21, 22, 23, 24, 25, 31 and 32. In responding thereto, the language "bristle carrier" has been cancelled from the claims.

The Examiner has objected to claims 31, lines 3 to 4, concerning the structural relationship between the outer layer, the central layer and the first layer, as well as the second layer. In responding thereto, claim 31 has been cancelled and replaced with equivalent claim 47 in which the structural relationship between the elements has been clearly defined.

Claims 17 through 26, 29 and 32 stand rejected under 35 USC 102(a) as being anticipated by Hohlbein '383. The Examiner has, however, indicated that claims 27, 28, 30 and 31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In responding to these rejections, the Applicant has deleted claims 17 through 32 and replaced them with claims 33 through 48, respectively.

New independent claim 33 recites a bristle stock and a first layer of plastic material having a plurality of through holes. A second layer of a second plastic material is interposed between the first layer and the bristles, wherein the second plastic material of the second layer fills the through holes of the first layer. Comparing this revised claim language to the Hohlbein reference, one sees that Hohlbein discloses a plug 32 inserted in a recess 34 of a plastic member 16. The Applicant respectfully disagrees with the Examiner's interpretation of the word "layer". Pertinent dictionary definitions of the word "layer" include specific language requiring that the layer be essentially two-dimensional and flat, having a thickness, which is substantially less than its planer extension. The Applicant is aware of the fact that the USPTO is entitled to give claim language its broadest possible reasonable interpretation. However, while acknowledging that fact, the Applicant submits that the USPTO interpretation of the structure recited in the Hohlbein reference (labeled 32) is overly broad. In particular, this member 32 is neither essentially flat nor two-dimensional and is certainly more accurately described as a plug or an insert. Interpreting this structure as a "layer" is therefore improper. Having said this, it is nevertheless clear that the Hohlbein reference cannot read on the new claim language. In particular, member 32 is not interposed between the bristle stock and plastic member 16 rather plastic member 16, having the recess 34 in which the plug member 32 seats, is interposed between the plug member 32 and the bristle stock 22. Moreover, recess 34 is not a through hole in the embodiments of figures 1 through 5 and 7 and 8. Figure 6 shows a through hole in plastic member 16 in which plug member 39 seats. However, this plug member 39 cannot be construed

to be a layer and is certainly not interposed between plastic member 16 and the bristle stock 22.

The Applicant has also amended the dependent claims to clarify the structural relationships among the elements claimed. The Applicant has amended the dependent claims to use functional language having structural consequences in order to address the Examiner's interpretations of former claims 22 through 25 as failing to recite positive limitations, rather recitations which are inherent in previously recited structure. The Applicant respectfully requests the Examiner to interpret this language in the sense of 35 USC 112, sixth paragraph.

For the reasons given above, the Applicant believes this case to be sufficiently distinguished from the prior art of record to warrant patenting in the United States and therefore requests passage to issuance.

No new matter has been added in this amendment.

Respectfully submitted,

Paul Vincent

Dr. Paul Vincent

Registration number 37,461

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Date

Lichti, Lempert and Lasch
Bergwaldstr. 1
D-76227 Karlsruhe, Germany
Telephone: +49-721-94 32 815